



LPW Rec'd 2878

PTO/SB/30, (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant  
application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                            |
|------------------------|----------------------------|
| Application Number     | 10/099,609                 |
| Filing Date            | March 15, 2002             |
| Examiner Name          | Christine Sung             |
| First Named Inventor   | Peter S. SHIFFLETT, et al. |
| Group Art Unit         | 2878                       |
| Attorney Docket Number | 23439-128                  |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

06/14/2004 JADD01 00000036 10099609

- i. ☒ Amendment
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Supplemental Information Disclosure Statement (IDS)
- iv. ☐ Petition for Extension of Time

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770.00 0P

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other:

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0311
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Required extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☒ Check in the amount of \$770.00 enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                    |                    |                                   |               |
|--------------------|--------------------|-----------------------------------|---------------|
| Name (Print /Type) | Bradford C. Blaise | Registration No. (Attorney/Agent) | 47,429        |
| Signature          |                    | Date                              | June 10, 2004 |

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                    |      |
|--------------------|------|
| Name (Print /Type) |      |
| Signature          | Date |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

Amendment dated: June 10, 2004

CUSTOMER NO. 29315

Application Serial No.: 10/099,609

Attorney Docket No. 23439-128

In Response to "Notice of Allowance" mailed March 11, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE PATENT      Peter S. SHIFFLETT *et al.*  
APPLICATION OF:

SERIAL NO.:      10/099,609

ATTORNEY      23439-128

DOCKET NO:

FILING DATE:      March 15, 2002

ART UNIT :      2878

EXAMINER      Christine Sung

FOR:      METHOD AND APPARATUS FOR MEASURING PARTICULATES IN VEHICLE  
EMISSIONS

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**AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION (RCE)**

**Mail Stop RCE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA. 22313-1450

Dear Sir:

In response to the Notice of Allowance mailed **March 11, 2004**, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.

**Remarks/Arguments** begin on page 13 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0311 (*Ref. No. 23439-128*).